

# Notice of Allowability

Application No.

10/042,097

Examiner

John P Trimmings

Applicant(s)

DIXON ET AL.

Art Unit

2133

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application dated 01/07/2002.
2. ☒ The allowed claim(s) is/are 9-22 (1-14 renumbered).
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 07082004.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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*Eugene Lamarre*  
Primary Examiner

### **DETAILED ACTION**

Claims 1-22 are presented for examination.

### **EXAMINER'S AMENDMENT**

The application has been amended as follows:

1. The examiner has changed the disclosure as follows:

Page 11 line 14, "735" has been changed to "755".

2. The examiner and applicant has agreed with prejudice to cancel Claims 1-8.
3. The examiner has changed Claim 22 as follows: "The computer program product of claim 13" in line 1 has been changed to "The computer program product of claim 18".
4. The examiner has changed the drawing of FIG.7 as follows: Box 730 left hand outlet has been changed from "NO" to "YES", and the bottom outlet has been changed from "YES" to "NO".

The applicant is in concurrence with the above 3 changes as the examiner's attached telephone interview states.

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance: The reference art of Walker et al., U.S. Patent No. 6374379, Albee et al., U.S. Patent No. 5548525, Creek et al., U.S. Patent No. 6563298, and IBM Technical Disclosure NN7411607 teach a tester method for interposing between logic chips with drivers, containing a switch coupling between nodes and connected to the logic, testing for and detecting contention

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characteristics at a lower frequency than the logic. However, the prior arts of record taken alone, or in combination failed to teach, anticipate, suggest, or render obvious the claimed invention or the method steps of the application. Specifically, as per Claims 9, 10, 13, 17 and 18, the prior arts failed to teach, anticipate, suggest, or render obvious the limitation introduced into these claims, namely:

As per Claims 9, 13 and 17:

Contention detection is responsive to a signal asserted by the first and the second logic circuits.

As per Claims 10 and 18:

Test intervals occur during connected circuit and disconnected circuit periods between the first and second logics.

Consequently, Claims 9, 10, 13, 17 and 18 are allowed over the prior arts of record. Claims 11-12, 14-16 and 19-22 are directly or indirectly dependent upon Claims 9, 10, 13, 17 and 18, and therefore are also allowable over the prior arts of record. Therefore claims 9-22 are allowed. The examiner will renumber the allowable claims as 1-14.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P Trimmings whose telephone number is 703-305-0714. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
John P Trimmings  
Examiner  
Art Unit 2133

jpt

  
Primary Examiner